

ASSEMBLY BILL

No. 1969

Introduced by Assembly Members Beth Gaines and Norby

February 23, 2012

An act to add Section 68074.5 to the Education Code, relating to public postsecondary education.

LEGISLATIVE COUNSEL'S DIGEST

AB 1969, as introduced, Beth Gaines. Public postsecondary education: nonresident tuition: military members.

Existing law establishes the segments of the public postsecondary education system in the state, including the University of California administered by the Regents of the University of California, the California State University administered by the Trustees of the California State University, and the California Community Colleges administered by the Board of Governors of the California Community Colleges. Existing law establishes uniform student residency requirements for purposes of ascertaining the amount of fees to be paid by students at these segments of public postsecondary education.

This bill would require a student who is a member or former member of the Armed Forces of the United States, as defined, or the State Military Reserve, except former members who received a specified discharge, to be exempt from paying nonresident tuition at the California State University and the California Community Colleges, and would request those members and former members to be exempt from paying nonresident tuition at the University of California. By requiring community college districts to exempt these students from paying nonresident tuition, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 68074.5 is added to the Education Code,
2 to read:

3 68074.5. (a) A student who is a member of the Armed Forces
4 of the United States or the State Military Reserve or former
5 member of the Armed Forces of the United States or the State
6 Military Reserve who has received an honorable discharge, a
7 general discharge, or an other than honorable discharge shall be
8 exempt from paying nonresident tuition at the California State
9 University and the California Community Colleges, and is
10 requested to be exempt from paying nonresident tuition at the
11 University of California. A former member of the Armed Forces
12 of the United States or the State Military Reserve who received a
13 dishonorable discharge or a bad conduct discharge shall not be
14 exempt from paying nonresident tuition pursuant to this section.

15 (b) For purposes of this section, "Armed Forces of the United
16 States" means the Air Force, Army, Coast Guard, Marine Corps,
17 National Guard, Naval Militia, Navy, and the reserve components
18 of each of those forces, including the California National Guard.

19 SEC. 2. If the Commission on State Mandates determines that
20 this act contains costs mandated by the state, reimbursement to
21 local agencies and school districts for those costs shall be made
22 pursuant to Part 7 (commencing with Section 17500) of Division
23 4 of Title 2 of the Government Code.

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